

ASSOCIATED PRESS
25 October 1983

WASHINGTON
GRENADA-LEGAL
BY PATRICIA KOZA

Secretary of State George Shultz invoked a little-known agreement among several Caribbean nations Wednesday to justify the invasion of Grenada but critics questioned the legal basis for the decision.

"Clearly, there are some serious international legal questions," said Rep. Michael Barnes, D-Md., head of the House Foreign Affairs subcommittee on Western Hemisphere affairs, the main House oversight panel on Latin American and Caribbean matters.

In explaining the action to reporters, Shultz invoked Article 8 the Organization of Eastern Caribbean States charter, which sets up a defense and security committee for the collective defense of the participating nations.

His comments implied that it is an important organization and that the desires of its members can take precedence over the more prominent Organization of American States and the OAS' Rio Treaty, which prohibits any state from intervening militarily or otherwise in the internal affairs of another OAS country.

Grenada is a member of the OAS, as is the United States. Some of the Caribbean nations involved in the invasion are members of the OAS, some are not, but none has signed the Rio Treaty. Shultz noted they have their own collective security treaty under which the invasion is authorized.

A congressional source familiar with Latin American and Caribbean affairs, however, criticized Shultz's effort to invoke the little-known agreement, to which the United States is not a signatory.

"We're not a signatory of the (Caribbean) charter, but we are a signatory and one of main authors of the OAS charter, of which we are clearly in violation," the source said.

The Organization of Eastern Caribbean States is practically unknown and is not listed in the CIA's annual 'World Factbook' as one of the organizations to which Grenada or any other Caribbean nation belongs.

Signatories to the Caribbean charter are Antigua, Dominica, Grenada, Montserrat, St. Lucia, St. Kitts Nevis and St. Vincent.

The Caribbean agreement also apparently requires that any action get unanimous consent of the signatories, which obviously did not happen in Grenada's case, Barnes said.

Another portion of the Caribbean document, Article 14, calls for the peaceful settlement of disputes among member states and provides for different mechanisms to attain that end.

CONTINUED